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## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 246 by Senator Cheek

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### 1    AMENDMENT NO. 1

2    On page 1, on lines 3 and 4, change "Rural Hospital Information Technology Loan Fund"  
3    to "Electronic Health Records Loan Program"

### 4    AMENDMENT NO. 2

5    On page 1, at line 6, change "rural hospitals" to "health care providers"

### 6    AMENDMENT NO. 3

7    On page 1, delete line 12 and insert the following:

8    **"PART XXIX-A. ELECTRONIC HEALTH RECORDS LOAN PROGRAM ACT"**

### 9    AMENDMENT NO. 4

10   On page 1, at lines 14 and 15, change "**Rural Hospital Information Loan Fund Act.**" to  
11   "**Electronic Health Records Loan Program.**"

### 12   AMENDMENT NO. 5

13   On page 2, delete lines 1 through 3, and insert the following:

14        **"(1) Through the state's health care reform efforts, it has been recognized that**  
15        **Health Information Technology (HIT) and Health Information Exchange (HIE)**  
16        **are critical to improving and evaluating the quality of health care delivered to**  
17        **the citizens of Louisiana across the full spectrum of service delivery. The state**  
18        **has made significant investments in HIT that should be leveraged and built**  
19        **upon while continuing to address the low adoption rate of HIT by providers**  
20        **statewide".**

### 21   AMENDMENT NO. 6

22   On page 2, at line 5, after "**electronic health record**" insert "**(EHR) is the foundation of**  
23   **HIT adoption and**"

### 24   AMENDMENT NO. 7

25   On page 2, delete lines 7 through 19.

### 26   AMENDMENT NO. 8

27   On page 2, at line 20, change "**(4)**" to "**(3)**"

### 28   AMENDMENT NO. 9

29   On page 2, at line 21, between "**2009**" and before the comma "," insert "**(ARRA)**" and after  
30   "**substantial**" add "**financial**"

### 31   AMENDMENT NO. 10

32   On page 2, at line 22, change "**health information technology**" to "**HIT**"

1 AMENDMENT NO. 112 On page 2, at line 25, change "electronic health record" to "EHR"3 AMENDMENT NO. 124 On page 2, at line 28, change "electronic health record technology" to "an EHR."5 AMENDMENT NO. 136 On page 2, at line 29, change "(5)" to "(4)" and change "the American Recovery and  
7 Reinvestment Act of 2009" to "ARRA"8 AMENDMENT NO. 149 On page 3, at line 1, change "Louisiana's rural hospitals" to "many of Louisiana's  
10 providers"11 AMENDMENT NO. 1512 On page 3, at line 6, change "hospitals" to "providers"13 AMENDMENT NO. 1614 On page 3, at line 7, change "electronic health record" to "EHR"15 AMENDMENT NO. 17

16 On page 3, delete the lines 10 through 17 and insert the following:

17 "(5) The ARRA's loan program competitive grant provisions are designed to  
18 facilitate the widespread adoption of certified EHR technology, thus achieving  
19 provider eligibility for the enhanced Medicare and Medicaid reimbursements.  
20 The application process requires that the state develop and submit a strategic  
21 plan that will be annually updated, and that must include a list of the projects  
22 to be assisted through the program, a description of the criteria and methods  
23 established for the distribution of funds, the financial status of the loan fund as  
24 of the date of submission of the plan and the short-term and long-term goals of  
25 the program.26 (6) In 2007, the state authorized the secretary to enter into a Cooperative  
27 Endeavor Agreement ("CEA") with the Rural Hospital Coalition, Inc. (the  
28 "Coalition"), for the establishment of the Louisiana Rural Health Information  
29 Exchange (LARHIX), a multi-regional health care information exchange. With  
30 the funding provided, seven rural hospitals acquired EHR technology and were  
31 linked to Louisiana State University Health Sciences Center - Shreveport  
32 (LSUHSC-S) via a state-of-the-art integration engine, permitting a panel of  
33 specialists to access a rural patient's medical record in real time while  
34 consulting with the patient over the telemedicine equipment located at the rural  
35 hospital. In 2008, the state entered into a five-year CEA with the Coalition and  
36 provided funding to expand the network to seven additional rural hospitals.  
37 LARHIX has been honored as a network model with multiple award  
38 nominations by national technology organizations.39 (7) The state is required to meet federal match requirements to secure funding  
40 under the ARRA loan program provisions. Once such funding is secured, the  
41 state can establish the loan program and thereby make application for ARRA  
42 program funds. When established, the loan program will facilitate the  
43 expansion of current efforts, including LARHIX, to assist providers in  
44 acquiring certified EHR technology. By enacting this legislation, the legislature  
45 is providing the department and the secretary with specific authority to

1 facilitate the state's application for ARRA loan program funding and to  
 2 administer the state's EHR loan program."

3 AMENDMENT NO. 18

4 On page 4, delete lines 3 through 20, and insert the following:

5 "§1299.96.14. Establishment of the Electronic Health Records Loan Program

6 A. The "Electronic Health Records Loan Program" is hereby created within the  
 7 department.

8 B.(1) The secretary is hereby authorized to establish the Electronic Health  
 9 Records Loan Program utilizing such sums that are made available through any  
 10 one or more of the following:

11 (a) Annual appropriation.

12 (b) A public/private partnership involving financial institutions.

13 (c) Any other method authorized by law.

14 (2) Such funding shall be utilized by the state to satisfy the federal match  
 15 requirements of the loan program provisions of ARRA.

16 (3) All loan program funds shall be administered by the department pursuant  
 17 to the provisions of this Part.

18 C. To the extent permitted by law, the debt service associated with loans made  
 19 to eligible providers shall be serviced from funds received by such providers as  
 20 enhanced reimbursements under ARRA.

21 D. The department shall assist the state in the preparation of a competitive  
 22 grant application and any other required submissions to secure funding made  
 23 available under the ARRA loan program provisions.

24 E. The secretary is authorized to enter into CEAs to facilitate with any entity  
 25 access to the ARRA loan program funding and to make loans to eligible  
 26 providers to provide for the acquisition and implementation of certified EHR  
 27 technology by eligible providers.

28 F. The secretary shall enter into a CEA with the Coalition, the terms of which  
 29 shall govern the program's loans made available to rural hospitals so as to  
 30 provide for the expansion and administration of LARHIX and other related  
 31 matters.

32 G. The secretary may consult with the Louisiana Healthcare Quality Forum in  
 33 administering this program.

34 Section 2. This Act shall become effective on July 1, 2009; if vetoed by the  
 35 governor and subsequently approved by the legislature, this Act shall become  
 36 effective on July 1, 2009, or on the day following such approval by the legislature,  
 37 whichever is later."